

Remarks

In view of the amendment above, reconsideration of the present application is respectfully requested.

With this response, only independent claim 23 has been amended. Consequently, claims 23-31 are pending and under consideration.

Applicant has generally adopted the Examiner's suggested amendment from the Office Action of June 6, 2005, to independent claim 23. Indeed, the specific language suggested by the Examiner has identically been copied and inserted into independent claim 23. Moreover, Applicants have included the language "in need thereof" and "an effective amount" in independent claim 23.

These amendments define over the prior art for at least the following reasons.

Firstly, and as the Examiner previously pointed out, the language "who has been directed to ingest, for the purpose of treating said dental erosion" overcomes the prior art and does now in fact distinguish over the fact that anyone drinking a low pH beverage composition is in need of the composition.

Secondly, the language "an effective amount" defines over the prior art because the prior art specifically did not recognize what an effective amount of a composition might be in order to treat dental erosion. Indeed, the prior art is silent even as far as treating dental erosion is concerned with these compositions.

Therefore, it is submitted that claims 23-31, as amended, are allowable over the references of record.

Conclusion

It should be understood that the above remarks are not intended to provide an exhaustive basis for patentability or concede the basis for the rejections in the previous Office Actions but are simply provided to overcome the rejections made in the Office Action in the most expedient fashion.

For the foregoing reasons and in view of the above amendments and remarks, it is respectfully submitted that the present application is in condition for allowance. If, after reviewing this amendment, the Examiner feels that any issues remain that must be

Appl. No. 09/489,310
Docket No. 7922
Amdt. dated 08/07/2008
Reply to Amendment dated 02/20/2008
Customer No. 27752

resolved before the application can be passed to issue, the Examiner is invited to contact the Applicant's undersigned representative by telephone to resolve such issues.

Respectfully submitted,
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Date: August 7, 2008
Customer No. 27752